

been qualified or certified as a miner by the State in which he is employed.

(Sec. 101(a), Federal Coal Mine Health and Safety Act of 1969, as amended (83 Stat. 745; 30 U.S.C. 811(a))

[39 FR 7176, Feb. 25, 1974]

§ 77.1711 Smoking prohibition.

No person shall smoke or use an open flame where such practice may cause a fire or explosion.

§ 77.1712 Reopening mines; notification; inspection prior to mining.

Prior to reopening any surface coal mine after it has been abandoned or declared inactive by the operator, the operator shall notify the Coal Mine Health and Safety District Manager for the district in which the mine is located, and an inspection of the entire mine shall be completed by an authorized representative of the Secretary before any mining operations in such mine are instituted.

§ 77.1713 Daily inspection of surface coal mine; certified person; reports of inspection.

(a) At least once during each working shift, or more often if necessary for safety, each active working area and each active surface installation shall be examined by a certified person designated by the operator to conduct such examinations for hazardous conditions and any hazardous conditions noted during such examinations shall be reported to the operator and shall be corrected by the operator.

(b) If any hazardous condition noted during an examination conducted in accordance with paragraph (a) of this section creates an imminent danger, the person conducting such examination shall notify the operator and the operator shall withdraw all persons from the area affected, except those persons referred to in section 104(d) of the Act, until the danger is abated.

(c) After each examination conducted in accordance with the provisions of paragraph (a) of this section, each certified person who conducted all or any part of the examination required shall enter with ink or indelible pencil in a book approved by the Secretary the date and a report of the condition of the mine or any area of the mine which

he has inspected together with a report of the nature and location of any hazardous condition found to be present at the mine. The book in which such entries are made shall be kept in an area at the mine designated by the operator to minimize the danger of destruction by fire or other hazard.

(d) All examination reports recorded in accordance with the provisions of paragraph (c) of this section shall include a report of the action taken to abate hazardous conditions and shall be signed or countersigned each day by at least one of the following persons:

- (1) The surface mine foreman;
 - (2) The assistant superintendent of the mine;
 - (3) The superintendent of the mine;
- or,
- (4) The person designated by the operator as responsible for health and safety at the mine.

(Pub. L. No. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 et seq.))

[36 FR 9364, May 22, 1971, as amended at 60 FR 33723, June 29, 1995]

Subpart S—Trolley Wires and Trolley Feeder Wires

§ 77.1800 Cutout switches.

Trolley wires and trolley feeder wires shall be provided with cutout switches at intervals of not more than 2,000 feet and near the beginning of all branch lines.

§ 77.1801 Overcurrent protection.

Trolley wires and trolley feeder wires shall be provided with overcurrent protection.

§ 77.1801-1 Devices for overcurrent protection.

Automatic circuit interrupting devices that will deenergize the affected circuit upon occurrence of a short circuit at any point in the system will meet the requirements of § 77.1801.

§ 77.1802 Insulation of trolley wires, trolley feeder wires and bare signal wires; guarding of trolley wires and trolley feeder wires.

Trolley wires, trolley feeder wires, and bare signal wires shall be adequately guarded: